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13 IN THE UNITED STATES DISTRICT COURT
14 THE NORTHERN DISTRICT OF CALIFORNIA
15

16 PAUL MORENO, an individual,
17 Petitioner,
18 v.
19 YELP INC, a Delaware corporation,
20 Respondent.
21

Case No. 23-mc-80272-AMO

**STIPULATION AND [PROPOSED]
ORDER TO RELATE CASES**

[Civil Local Rules 3-12 and 7-12]

Related Case No. 3:23-cv-06417-WHA

1 The parties stipulate and agree to the following:

2 1. The parties to this stipulation are also parties in the following civil action: 3:23-cv-
3 06417-WHA. There is one other party in that action, Moreno Roofing Company, Inc., dba Moreno
4 Roofing and Solar (“MRC”). MRC is Petitioner Paul Moreno’s business and is represented by
5 Petitioner’s counsel.

6 2. Civil Local Rule 7-12(b) provides that whenever a party knows or learns that an
7 action, filed in this District is related to an action which is or was pending in this District, the party
8 must promptly file in the lowest-numbered case an Administrative Motion to Consider Whether
9 Cases Should be Related.

10 3. Here, Case No. 3:23-cv-06417-WHA (“the civil lawsuit”) is related to this
11 miscellaneous matter, which is the earlier filed case.

12 4. The civil lawsuit that Yelp filed against Petitioner is related to this miscellaneous
13 matter because they concern overlapping parties, the same property—the <yelp.ai> domain
14 name—and the same transactions and events—the circumstances of Petitioner’s acquisition of the
15 domain name and subsequent conduct, as well as Yelp’s uses of its trademarks and federal
16 registrations of them.

17 5. It also appears likely there will be an unduly burdensome duplication of the Court’s
18 labor if the cases are conducted before different Judges. As a miscellaneous matter, Petitioner’s
19 effort to vacate the ICANN’s arbitration award to Yelp is likely to conclude faster than Yelp’s
20 civil lawsuit against Petitioner. Judicial resources would be conserved if the same Judge, already
21 familiar with the evidentiary record in the arbitration, also considers Yelp’s lawsuit.

6. THEREFORE, the parties stipulate and agree that the civil lawsuit is related to this matter, and should be reassigned to Judge Araceli Martinez-Olguin.

DATED: December 15, 2023

Respectfully submitted,

DAVIS WRIGHT TREMAINE LLP

By: /s/ John D. Freed

JOHN D. FREED

Attorney for Respondent
YELP INC.

By: /s/ Meghan Pratschler*

MEGHAN PRATSCHLER

Attorney for Petitioner
PAUL MORENO

* Filer's Attestation: Pursuant to Civil Local Rule 5(i)(3), the filer hereby attests that concurrence in the filing of this document has been obtained.

PURSUANT TO STIPULATION, IT IS SO ORDERED

DATED: _____

By: _____

THE HONORABLE ARACELI MARTINEZ-OLGUIN
UNITED STATES DISTRICT JUDGE